

**Amendments to the Drawings:**

The attached replacement drawing sheet makes changes to Fig. 1 and replaces the original sheet with Fig. 1.

Attachment: Replacement Sheet

**REMARKS**

Claims 1-19 are pending in this application. By this Amendment, claims 1, 7, 8, 10 and 11 are amended. Claims 1 and 10 are amended to distinguish over the cited references. Claim 10 is amended to be in independent form and claim 11 is amended for conformity. Claims 7 and 8 are amended to correct antecedence.

No new matter is added by this Amendment. Support for the language added in claim 1 can be found in the specification at, for example, page 8, lines 23-26 and Figs. 2-6 and 8. Support for the language added to claim 10 can be found in original claim 1.

The courtesies extended to Applicants' representative by Examiner Gordon at the interview held September 7, 2005, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

**I. Allowable Subject Matter**

Applicants note with appreciation that claim 14 is allowable.

**II. Drawing Objections**

Figure 1 was objected to for not being designated as "Prior Art." Solely to expedite the prosecution of this application, submitted herewith is a replacement drawing sheet of Figure 1 designated Prior Art.

Applicants submit that this objection is now moot. Reconsideration and withdrawal of the objection are thus respectfully requested.

**III. Specification Objection**

The specification was objected to because reference numeral 15 designated both "flow path" and "discharge vessel" on page 8. Solely to expedite the prosecution of this application, Applicants have amended the specification to designate "discharge vessel" with reference numeral 14.

Applicants submit that this objection is now moot. Reconsideration and withdrawal of the objection are thus respectfully requested.

**IV. Rejection Under 35 U.S.C. §112, Second Paragraph**

Claim 7, 8 and 10 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. This rejection is respectfully traversed.

**A. Claims 7 and 8**

Claims 7 and 8 were rejected for reciting the limitation "the bottom surface." There was allegedly insufficient antecedent basis for this limitation. Solely to expedite the prosecution of this application, claims 7 and 8 have been amended to recite "a bottom surface."

**B. Claim 10**

The term "almost" in claim 10 allegedly rendered the claim indefinite. Applicants point out that claim 10 has been amended to remove the term "almost." Applicants thus submit that the rejection of claim 10 is now moot.

**C. Conclusion**

For the foregoing reasons, Applicants submit that claims 7, 8 and 10 are definite. Reconsideration and withdrawal of the rejection are thus respectfully requested.

**V. Rejection Under 35 U.S.C. §102(b)**

Claims 1, 2, 5-10, 12 and 19 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,866,825 ("Moore"). This rejection is respectfully traversed.

Moore teaches a rinsing tray system for cleaning the pipette tips of a multipipetting device. The rinsing tray system substantially comprises a first tray and a second tray below the latter, these two tray communicating via openings which are arranged in the same grid dimension as the pipette tips of a multipipetting device. See the Abstract of Moore. The

Patent Office alleges that Moore teaches or suggests all of the features recited in claims 1, 2, 5-10, 12 and 19. Applicants respectfully disagree.

**A. Claim 1**

Moore does not teach or suggest a discharging vessel connected to the storage vessel via a flow path, wherein the flow path is at a lower depth than a desired liquid level, and wherein the discharge vessel and storage vessel are horizontally disposed to each other, as recited in claim 1.

The storage vessel and discharge vessel, along with the flow path, are integrally formed on a main surface of the base material of the liquid holding unit. See page 8, lines 20-27 of the specification. In other words, as discussed during the September 7, 2005 interview, the storage vessel and discharge vessel are horizontally disposed, connected by the flow path, on a main surface of the liquid holding unit.

In contrast, Moore teaches that tray 1 (allegedly corresponding to the storage vessel) is stacked on top of tray 2 (allegedly corresponding to the discharge vessel), with the alleged flow path sandwiched in between tray 1 and tray 2. In other words, Moore teaches that tray 1 and tray 2 are vertically disposed.

As such, Applicants submit that Moore does not teach or suggest a discharging vessel connected to the storage vessel via a flow path, wherein the flow path is at a lower depth than a desired liquid level, and wherein the discharge vessel and storage vessel are horizontally disposed to each other, as recited in claim 1.

**B. Claim 10**

Moore does not teach or suggest a liquid discharging means to discharge the liquid from the discharging vessel through the discharge tube, wherein the discharging inlet of the discharge tube is positioned in a central region from all sides of the discharge vessel, as recited in claim 10.

As discussed during the September 7, 2005 interview and agreed to by Examiner Gordon, Moore does not teach or suggest the location of the discharging inlet of the discharge tube as recited in claim 10. Instead, as agreed by the Patent Office during the interview, Moore teaches that the discharge tube is located at the side of the storage vessel.

As such, Applicants submit that Moore does not teach or suggest that the discharging inlet of the discharge tube is positioned in a central region from all sides of the discharge vessel, as required in claim 10

**C. Conclusion**

For the foregoing reasons, Applicants submit that Moore does not teach or suggest the features recited in claims 1, 2, 5-10, 12 and 19. Reconsideration and withdrawal of the rejection are thus respectfully requested.

**VI. Rejection Under 35 U.S.C. §103(a)**

**A. Moore**

Claims 3, 4 and 11 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Moore. This rejection is respectfully traversed.

As discussed at length above, Moore does not teach or suggest a discharging vessel connected to the storage vessel via a flow path, wherein the flow path is at a lower depth than a desired liquid level, and wherein the discharge vessel and storage vessel are horizontally disposed to each other, as recited in claim 1. Therefore, Applicants submit that Moore does not teach the features recited in claims 3 and 4, which indirectly depend from claim 1.

Further, as discussed above, Moore does not teach or suggest a liquid discharging means to discharge the liquid from the discharging vessel through the discharge tube, wherein the discharging inlet of the discharge tube is positioned in a central region from all sides of the discharge vessel, as recited in claim 10. Therefore, Applicants submit that Moore does not teach the features recited in claim 11, which depends from claim 10.

For the foregoing reasons, Applicants submit that Moore does not teach or suggest all of the features recited in claims 3, 4 and 11. Reconsideration and withdrawal of the rejection are thus respectfully requested.

**B. Moore in view of Kano**

Claim 13 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Moore in view of U.S. Patent No. 4,466,740 ("Kano"). This rejection is respectfully traversed.

Kano does not remedy the deficiencies of Moore. In particular, Kano does not teach or suggest a discharging vessel connected to the storage vessel via a flow path, wherein the flow path is at a lower depth than a desired liquid level, and wherein the discharge vessel and storage vessel are horizontally disposed to each other, as recited in claim 1.

For the foregoing reasons, Applicants submit that claim 13, indirectly dependent from claim 1, is patentable over Moore and/or Kano. Reconsideration and withdrawal of the rejection are thus respectfully requested.

**C. Moore in view of Copeland**

Claim 15 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Moore in view of U.S. Patent No. 5,137,694 ("Copeland"). This rejection is respectfully traversed.

Copeland does not remedy the deficiencies of Moore. In particular, Copeland does not teach or suggest a discharging vessel connected to the storage vessel via a flow path, wherein the flow path is at a lower depth than a desired liquid level, and wherein the discharge vessel and storage vessel are horizontally disposed to each other, as recited in claim 1.

For the foregoing reasons, Applicants submit that claim 15, dependent from claim 1, is patentable over Moore and/or Copeland. Reconsideration and withdrawal of the rejection are thus respectfully requested.

**D. Moore in view of Rose**

Claims 15-18 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Moore in view of U.S. Patent No. 6,551,557 ("Rose"). This rejection is respectfully traversed.

Rose does not remedy the deficiencies of Moore. In particular, Rose does not teach or suggest a discharging vessel connected to the storage vessel via a flow path, wherein the flow path is at a lower depth than a desired liquid level, and wherein the discharge vessel and storage vessel are horizontally disposed to each other, as recited in claim 1.

For the foregoing reasons, Applicants submit that claims 15-18, directly and indirectly dependent from claim 1, are patentable over Moore and/or Rose. Reconsideration and withdrawal of the rejection are thus respectfully requested.

**VII. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-19 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

*Leana Levin*

James A. Oliff  
Registration No. 27,075

Leana Levin  
Registration No. 51,939

JAO:LL/hs

Attachment:  
Replacement Drawing Sheet

Date: September 29, 2005

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

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